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## Book review

**Lewis and Buchan: Clinical negligence a practical guide, 7th revised ed. Bloomsbury Professional, UK (2012). 868 pp., ISBN: 978-1847666734, paperback, UK list price £120**

Written by a team of well respected practitioners, principally from Cloisters Chambers, but also with medical and judicial contributors, this superb book is nicely structured and well referenced.

This, the 7th edition, forms a comprehensive guide to clinical negligence and is structured to allow easy access to relevant information. It contains much recent case law e.g., *Rabone v Penine NHS Trust* (2012), *Jones v Kaney* (2011), *R v North Staffordshire PCT* (2011), and includes updates on new legislation.

The first two parts examine the changing structure of the NHS, existing complaints procedures, possible legal and non-legal remedies, the relevant law of negligence, and consent. There follows an examination of several important areas of clinical negligence including wrongful birth and psychiatric injury. Part three of the book, clearly although not excessively, describes the practical aspects of proceedings from pre-action protocol through to trial. The next part starts with a step by step guide to inquests and is essential reading for anyone being summoned to attend a hearing. A discussion on coronial reform within the Coroners and Justice Act 2009 and the death certification system, expands on the rationale for change in these areas and the newly aligned coronial framework. The importance of understanding limitation in clinical negligence is emphasised, and subsequent chapters move to cover issues revolving around the disclosure of medical records and privilege. The jurisprudence and Civil Procedure Rules surrounding the use of expert witnesses is well covered although most of this chapter is aimed at lawyers. The Courts' and solicitors' expectations of an expert are stated and subsequent sections cover the interlocutory use of experts and the impact of the Woolf and Jack-

son reforms with some practical pearls for the weary on expert discussions. The chapter is rounded off by a critique of past and recent case law affecting expert immunity and make for important reading for those who are engaged in this type of work. Next, the protections afforded by Human Rights legislation are well described with sufficient highlighting of the areas of overlap between European Convention and common law remedies. Court of Protection issues and the Mental Capacity Act 2005 are considered in a chapter mainly discussing processes but it was nice to see mention of recent judgements on statutory will applications. Next, sources of funding including legal aid and Lord Justice Jackson's recommendations in relation to civil litigation expenditure are comprehensively discussed, followed appropriately by a chapter dedicated to the thorny issue of costs. A number of appendices make for good reference material. It was nice to see a separate, comprehensive chapter on the handling of complaints and claims in NHS Wales.

A minor criticism is the font type making the pages a little difficult to wade through. Also, it would be nice to see more discussion about medical speciality-specific clinical negligence issues.

Overall, I would recommend this as a first class book to any practitioner with an interest in this area including medical experts, but NHS Trust legal advisors and relevant legal and voluntary sector organisations will similarly value this book. Students of medical law will also find this book an excellent reference tool.

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